

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 10, 2002**

AGENDA ITEM NO.: **17**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: Public Hearing Regarding Vacating Deck Street, Sail Street, Beacon Street, Spring Alley, and a portion of Anchor Street

RECOMMENDATION:

Adopt ordinances vacating Deck Street, Sail Street, Beacon Street, Spring Alley, and a portion of Anchor Street.

SUMMARY:

Kathryn and Robert D. Richards, Jr., Sally Briggs McCarthy Kuisel and Richard Francis Kuisel, Richard Langhorne McCarthy and Mary Virginia Scott McCarthy, William Henry McCarthy and Mary Elizabeth Smith McCarthy, David Cormac McCarthy and Deborah Lynn Koss McCarthy, and Kathleen Hewitt McCarthy Downs and Charles Floyd Downs, II, are petitioning the City to vacate Deck Street, Sail Street, Beacon Street, Spring Alley, and a portion of Anchor Street. The Technical Review Committee (TRC) report is attached. The petitioners own all of the property that adjoins these paper streets. The TRC comments have been incorporated into the proposed ordinances.

PRIOR ACTION(S):

August 6, 2002: Technical Review Committee Review
September 3, 2002: Physical Development Committee Review

BUDGET IMPACT:

None

CONTACT(S):

Pat Kost	847-1443/228
Robert Richards	384-8223
Richard McCarthy	384-2747

ATTACHMENT(S):

- Ordinances
- Maps
- Technical Review Committee Report
- Application to Vacate

REVIEWED BY: lkp

AN ORDINANCE VACATING TWO PAPER STREETS KNOWN AS DECK STREET AND SAIL STREET

WHEREAS the City of Lynchburg on its own motion is proposing to vacate two paper streets known as Deck Street and Sail Street; and

WHEREAS the petitioners own all of the property that abuts these paper streets; and

WHEREAS City Council finds that no public inconvenience will result from vacating these paper streets known as Deck Street and Sail Street;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described paper streets be, and the same hereby are, discontinued and vacated, namely:

Two paper streets known as Deck Street and Sail Street located between Old Trents Ferry Road and Judith Creek.

Said vacation is contingent upon the following: (1) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division, and (2) that a plat vacating lot lines on parcels that are adjacent to Deck Street and Sail Street must be submitted for review and approved by the Technical Review Committee,

BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

Clerk of Council

175P

AN ORDINANCE VACATING PAPER STREETS KNOWN AS BEACON STREET, SPRING ALLEY, AND A PORTION OF ANCHOR STREET EXTENDING BACK FROM DECK STREET TO JUDITH CREEK

WHEREAS the City of Lynchburg on its own motion is proposing to vacate Beacon Street, Spring Alley, and a portion of Anchor Street extending back from Deck Street to Judith Creek; and

WHEREAS the petitioners own all of the property that abuts these paper streets; and

WHEREAS City Council finds that no public inconvenience will result from vacating these paper streets;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described paper streets be, and the same hereby are, discontinued and vacated, namely:

Several paper streets known as Beacon Street, Spring Alley and a portion of Anchor Street extending from Deck Street back towards Judith Creek, all being located between Old Trents Ferry Road and Judith Creek.

Said vacation is contingent upon the following: (1) that an easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg, and the construction of any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace and maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division, and (2) that a plat vacating lot lines on parcels that are adjacent to these paper streets must be submitted for review and approved by the Technical Review Committee,

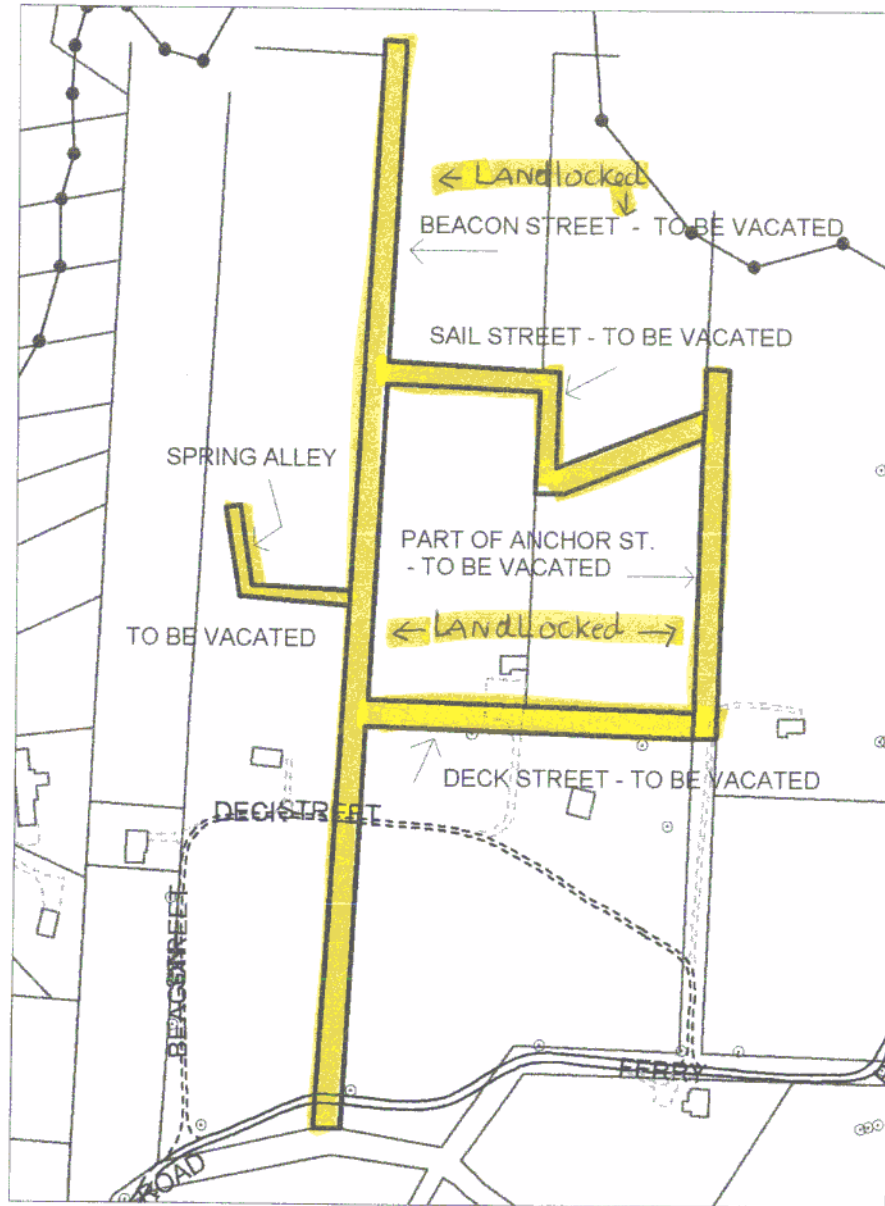
BE IT FURTHER ORDAINED That the Clerk of Council is hereby authorized and directed to deliver a duly-certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg.

Adopted:

Certified:

Clerk of Council

175P



DECK, SAIL AND BEACON STREETS,
SPRING ALLEY, PARTIAL ANCHOR ST.
PROPOSED STREET/ALLEY VACATION

THE CITY OF LYNCHBURG, VIRGINIA



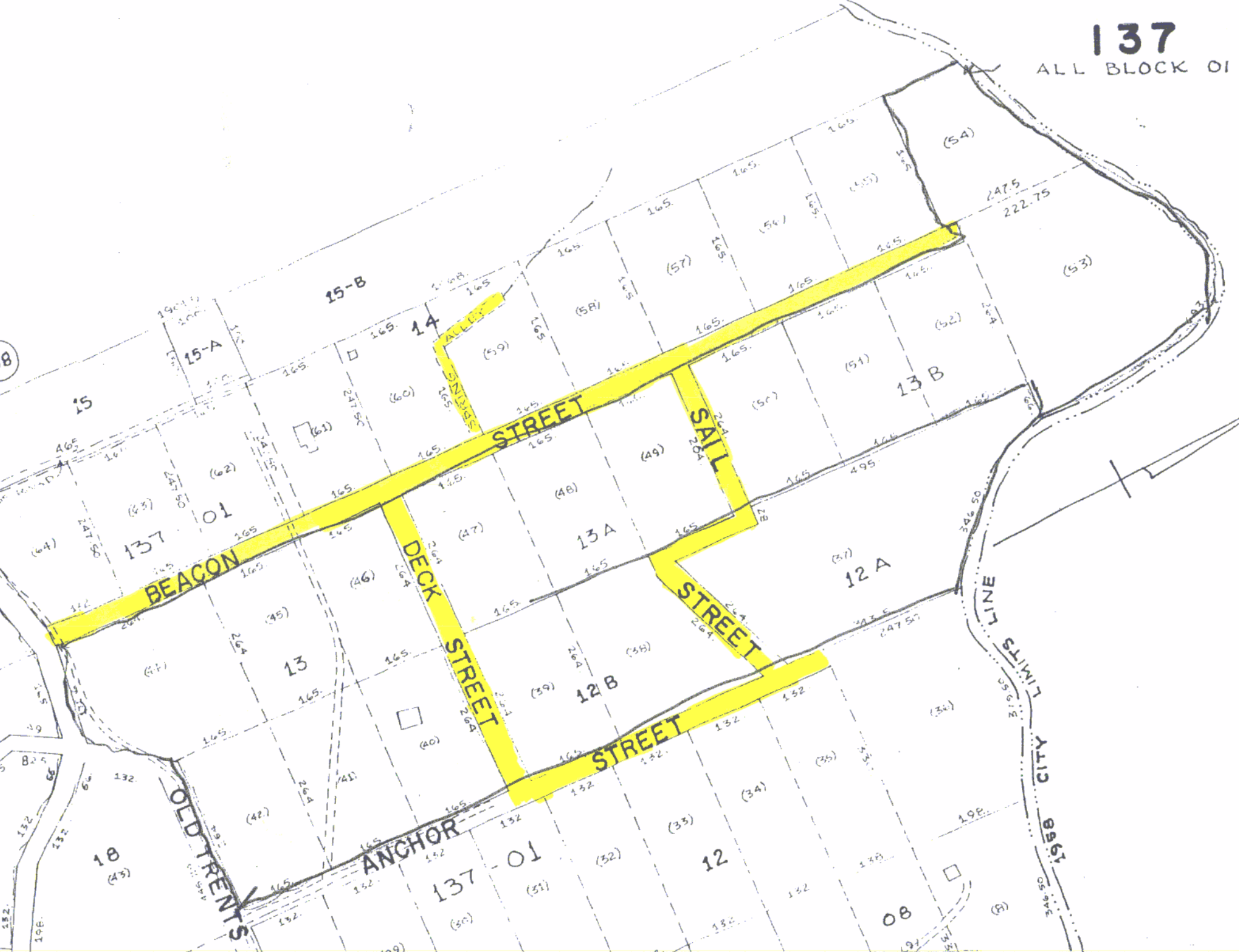
DEPT. OF PUBLIC WORKS

GIS

DESIGNED BY:	DRAWN BY: SBL	CHECKED BY:
APPROVED BY:	PROJECT NO.:	
SCALE: N.T.S.		
DATE: 9/10/2002	SHEET 2 OF 2	

137

ALL BLOCK OF





DECK, SAIL AND BEACON STREETS, SPRING ALLEY, PARTIAL ANCHOR ST. VICINITY

THE CITY OF LYNCHBURG, VIRGINIA



DEPT. OF PUBLIC WORKS
GIS

DESIGNED BY:	DRAWN BY:	SBL	CHECKED BY:
APPROVED BY:	PROJECT NO.:		
SCALE:	N.T.S.		
DATE:	9/10/2002	SHEET	1 OF 2



The City of Lynchburg, Virginia

CITY HALL, LYNCHBURG, VIRGINIA 24505 • (804) 847-1435
FAX • (804) 845-7630

DEPARTMENT OF COMMUNITY
PLANNING AND DEVELOPMENT

August 14, 2002

TO: Patricia W. Kost, Clerk of Council

FROM: Annette M. Chenault, Planner II *Annette Chenault*

RE: Street Vacation – Deck Street, Sail Street, Beacon Street, a portion of Anchor Street,
and Spring Alley
TRC Review: August 6, 2002

On August 6, 2002 the Technical Review Committee (TRC) reviewed a Street Vacation for Deck Street, Sail Street, Beacon Street, a portion of Anchor Street, and Spring Alley. Following are the comments:

1. The subject project proposes the vacation of Deck Street, Sail Street, Beacon Street, a portion of Anchor Street, and Spring Alley. Kathryn and Robert D. Richards, Jr., have completed an application to vacate the rights-of-way, and the matter is scheduled for City Council review on September 10.
2. There are several lots along the subject rights-of-way that would be landlocked as a result of the street vacations. In order to vacate the subject streets, a plat vacating interior lots lines must be submitted for review and approval by the TRC.
3. If any City utilities are located within the portion of the streets being vacated, then an easement is required.

Attachment

pc: Technical Review Committee

APPLICATION FOR THE VACATION OF A
SEVERAL PAPER STREETS KNOWN AS
DECK STREET, SAIL STREET, BEACON STREET, SPRING ALLEY
AND A PORTION OF ANCHOR STREET
LOCATED BETWEEN
OLD TRENTS FERRY ROAD AND JUDITH CREEK

The undersigned applicants, Kathryn and Robert D. Richards, Jr., Sally Briggs McCarthy Kuisel and Richard Francis Kuisel, Richard Langhorne McCarthy and Mary Virginia Scott McCarthy, William Henry McCarthy and Mary Elizabeth Smith McCarthy, David Cormac McCarthy and Deborah Lynn Koss McCarthy, and Kathleen Hewitt McCarthy Downs and Charles Floyd Downs, II, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 36-77 of the City Code, 1981, as amended, respectfully make application to the Lynchburg City Council for the vacation of that certain paper streets described as follows:

Several paper streets known as Deck Street, Sail Street, Beacon Street, Spring Alley and a portion of Anchor Street extending from Deck Street back towards Judith Creek, all being located between Old Trents Ferry Road and Judith Creek.

The applicants further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chambers, City Hall, 900 Church Street, Lynchburg, Virginia, on September 10, 2002, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which hearing to consider whether or not to vacate the above described paper streets.

Given under my hand this 15th day of July,
192002

Kathryn S Richards
Applicant

5348 Hickory Hill Dr
Address

384-8223
Telephone Number

Given under my hand this 14th day of August,
18²⁰⁰².

Jeff M. Kuisel
Applicant

Richard F. Kuisel

2415 20th St, NW # 16
Address

Washington, DC 20009

(202) 483-3547
Telephone Number

Given under my hand this 17th day of August,

2002
19_____.

Virginia L. McCarthy
Richard L. McCarthy
Applicant

331 Old Trents Ferry Rd.
Address Lynchburg, VA 24503

1-434-384-2747
Telephone Number

Given under my hand this 18th day of August,

192002

Mary Elizabeth McCarthy
William H. McCarthy
Applicant

1023 1715th CT

LYNNHURST, VA 24503
Address

434-384-1660
Telephone Number

Given under my hand this 18th day of August,

192002

Mary Elizabeth McCarthy
William H. McCarthy
Applicant

1023 1715th CT

LYNNHURST, VA 24503
Address

434-384-1660
Telephone Number

Given under my hand this 14th day of August,

192002.

Charles F. Dumas
Applicant

14818 WOODFIELD LN
Glencry, MD 21737
Address

710-489-7549
Telephone Number

Given under my hand this 15th day of August,

192002.

David C. McCarthy
Applicant
Deborah K. McCarthy
4517 Trenton Rd.
Chapel Hill, N.C. 27517
Address

919 - 489 - 6339
Telephone Number